

REMARKS

Claims 1-20 remain for reconsideration.

Applicants note with appreciation the Examiner's withdrawal of all previous grounds of rejection.

Claims 6, 7, 8, 10, 13, 15, and 17 have been objected to for reciting "passive devices" such as mirrors, splitters, etc., when the parent claims suggest that the devices should be "active", i.e., "optoelectronic devices". Accordingly, the claims have been amended to recite that the devices may be "optical or optoelectronic", since both types of devices may typically be found in an optoelectronic system. In view of the above, it is requested that the objection to these claims be withdrawn.

The amendments introduced herein are believed proper under 37 C.F.R. § 1.116 as they do not introduce any new features which would require a further search and are believed to put the claims in condition for allowance or in better form for appeal. As such, entry of the amendment is respectfully solicited.

All claims now stand rejected over newly cited reference 6,836,015 to Denneau. Specifically, claims 1, 3-10, and 12-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Denneau and claims 2, 11, and 17-20

stand rejected under § 103(a) in view of Denneau. These rejections are respectfully traversed based on the following discussion.

Briefly, each functional piece for a particular optoelectronic product (e.g., laser, tap, modulator, Variable Optical Amplifier (VOA), etc.) may be packaged individually. Each package may be equipped with one or more optical windows through which collimated beams are allowed to pass. The individual packages or modules may be mated and aligned together in such a way that the output-collimated beam of one package becomes the input-collimated beam of a second package. In this fashion, any number of individual packages may be linked together to form an optical device performing a more complex operation.

As shown in Figures 1 and 2-7, individual package or module comprises the same size and shape with the possibility of the windows or openings being located on one or more sides. As explained in paragraph [0018] of the application, in this fashion, any number of individual modules may be mixed and matched to form a more complex component.

Further, the optoelectronic or optical devices are housed within the package. That is, they are on the inside of the package. As noted in the specification and recited, for example in claims 2 and 17, this allows for hermetic sealing as is often used for certain devices.

All of the independent claims recite that the device is “housed” in the package. Meaning, on the inside of the package.

In contrast, the “optical cubes” taught by Denneau appear to just be cubes capable of redirecting entering light to a different direction. The “devices” are located on flexible circuits outside of the package. For example, in the Figure inserted in the Office Action, the devices 180 and 190 are clearly on flexible circuits attached to the outside of the cube, not housed within the cube as claimed. Thus, hermetic sealing of the devices is apparently not possible with Denneau.

Further, Figures 5-12 of Denneau shows all sorts of things including circuits, heat sinks, etc. attached to the outside of the cubes. Thus, while the cubes themselves may be the same size and shape, the size and shape of the “packages” are different once all of these things have been attached. Thus, this approach may not lend itself to as flexible of mixing and matching as does the claimed invention.

MPEP § 2131 mandates that "TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT IN THE CLAIM". Furthermore, the MPEP, citing Richardson v. Suzuki Motor Co., 9 USPQ2d 1051, 1053 (Fed. Cir. 1987), states "[t]he identical invention must be shown in as complete detail as is contained in the... claim" (emphasis added).

Here, Denneau does not show modular optoelectronic packages having a same size and shape which house optoelectronic devices. To the contrary, such devices are attached to the outside of the cubes.

It is therefore respectfully submitted that the rejections to the claims

are improper under Section 102 as Denneau cannot anticipate the rejected claims since they do not "teach the identical invention". Further, this reference does not make a case for *prima facie* obviousness under Section 103(a) since the features recited in the claims are not taught or reasonably suggested. Based on the above discussion with reference to the MPEP guidelines, it is respectfully requested that the rejections based on 35 U.S.C. § 102 and 103 be withdrawn.

This being the only rejection to claims 1-20 it is respectfully requested that these claims be allowed.

The above features recited in the claims are not taught or suggested by the prior art of record. As such, it is respectfully requested that the outstanding rejections be withdrawn.

In view of the foregoing, it requested that the application be reconsidered, that claims 1-20 be allowed and that the application be passed to issue. Please charge any shortages and credit any overcharges to Intel's Deposit Account number 50-0221.

Respectfully submitted,

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